

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Iversen *et al.*

SERIAL NO.: 09/493,427

FILED: January 29, 2000

FOR: **ANTISENSE RESTENOSIS  
COMPOSITION AND METHOD**

EXAMINER: J. Epps-Ford

ART UNIT: 1633

CONFIRMATION NO. 2225

Mail Stop RCE  
 Commissioner for Patents  
 P. O. Box 1450  
 Alexandria, VA 22313-1450

Interview Summary

The applicants thank the Examiner for her participation in telephonic interviews regarding the above-referenced application on January 11<sup>th</sup> and January 17<sup>th</sup>, 2006.

The participants on January 11<sup>th</sup> were Examiner Janet Epps-Ford (USPTO), LeeAnn Gorthey and Gina Freschi (applicants' representatives) and Richard Bestwick (patent liaison for assignee). The participants on January 17<sup>th</sup> were Examiner Epps-Ford and LeeAnn Gorthey. This written summary is submitted in accordance with MPEP §713.04.

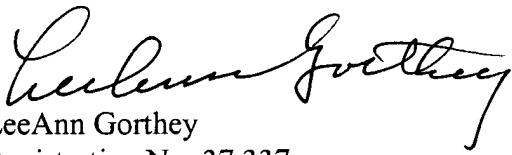
In accordance with MPEP §713.04, applicants provide the following information:

- (A) No exhibit was shown or demonstration conducted.
- (B) Claims discussed: The discussion was generally directed to all of the pending claims, but in particular to independent claim 28.
- (C) Prior art discussed: The primary cited reference, Zalewski *et al.*, U.S. Patent No. 6,159,946, was discussed.
- (D) Amendments discussed: In the telephone conference of January 17<sup>th</sup>, the Examiner reminded the applicant of the need to define variables in the claim structures.
- (E-F) Substantive issues discussed: Examiner Epps-Ford pointed out that the Kutryk *et al.* article, cited in the Declaration under 37 CFR §1.132, was a post-filing date reference.

Applicant's agent, LeeAnn Gorthey, stated in reply that the article was effective to show inoperability of the teachings of the Zalewski *et al.* patent with respect to inhibition of restenosis in humans. Dr. Gorthey also discussed the unexpected nature of effective inhibition of restenosis in humans, with reference to arguments and supporting articles presented during prosecution.

(G) Agreement was reached on these issues in the telephone conference of January 17<sup>th</sup>. Dr. Gorthey agreed to submit a response to the Office Action discussing these points, making the agreed upon amendments, and submitting the above-referenced articles in an IDS, where necessary, to make them of record.

Respectfully submitted,

  
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Date: 1-20-2006

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